Remarks

Claims 1-44 are pending in the present application and are rejected.

New claim 49 is presented for examination.

Claims 1, 18, and 40 are amended to include the limitation "wherein the links are delivered to the application program rather immediately presented to a user." Claim 42 is amended by inclusion of the limitation "wherein the at least one list of links are delivered to the application program rather than being immediately presented to a user." Claims 41 and 44 are amended by inclusion of the limitation "wherein the list of links are delivered to the application program rather than being immediately presented to a user." Claims 1, 18 and 42 are further amended to include the word "and" after the last element. The antecedent basis for these amendments is found on page 11, ll. 1-3 of the Specification.

1.   Claim Rejections Under 35 U.S.C. §102(e)

Claims 1-4, 10-12, 18, 21, 23-24, 29, 33-35, 40-41 are rejected under 35 U.S.C §102(e) as being anticipated by Mullen-Schultz, U.S. Pat. No. 6,393,462 ("Mullen-Schultz").

Independent claims 1, 18, and 40 are amended to include the limitation "wherein the links are delivered to the application program rather than being immediately presented to a user." Claim 41 includes the similar limitation "wherein the list of links are delivered to the application program rather than being immediately presented to a user." These limitations explain an important feature of some variations of the present invention in that the links are transferred to an application program prior to presentation of the links to a user. The Specification explains that this functionality is particularly useful to provide "persistent storage of the links for subsequent access to these links or locations even after the application program and/or computer have been closed, shut down, or terminated." (Specification p.11, ll. 1-5.) For a rejection to be sustained under 35 U.S.C. 102(e) each element and limitation must be

present in the prior art reference. Mullen-Schultz does not disclose that the "links are delivered to the application program rather than being immediately presented to a user." Instead, Mullen-Schultz discloses different and inconsistent (with the present invention) behavior as exemplified by the following passage:

> Once the primary computer is contacted, the primary computer receives the request for bookmark information and prompts the user for security information. If the security information is valid, the **primary computer embeds the bookmark information into a web page and transfers the web page to the alternate computer**. If necessary, the alternate computer will translate the bookmark information embedded within the web page from one web browser format to another.

Mullen-Schultz, col. 3, ll. 40-48

In Mullen-Schultz, bookmark information is embedded into a web page which is then transferred to an alternative computer (i.e., user). Subsequently, the alternative computer may translate the bookmark information within the web page. Clearly, Mullen-Schultz is teaching a different sequence of events than is occurring in the present invention, in that a web page is first transferred and obviously viewed by a user. Therefore, if a user were to log off or shut down, right after the web page is displayed, the associated link information may be lost inapposite to the invention of claims 1, 18, and 40 in which the "links are delivered to the application program rather than being immediately presented to a user."

Accordingly, for at least these reasons independent claims 1, 18, and 40 along with dependent claims 2-4, 10-12, 21, 23-24, 29 are allowable under 35 U.S.C §102(e) over Mullen-Schultz.

Regarding claim 33, Applicants respectfully traverse the rejection under 35 U.S.C. 102(e). The Examiner states that Mullen-Schultz discloses a step of "generating a list of links to be transferred to the computer" as required by independent claim 33. In support of the rejection, the Examiner cites to the following passage of Mullen-Schultz:

> Bookmark transfer mechanism 123 preferably includes a bookmark translation mechanism 322 designed to translate bookmark information embedded within the web page from the web browser format used on the primary computer to the web browser format used on the alternate computer.

Mullen-Schultz, col. 8, ll. 1-5

Mullen-Schultz does not state that a list of links is generated. Instead, in Mullen-Schultz a web page with embedded links is utilized. Because Mullen-Schultz utilizes such a web page, that reference includes a translation mechanism designed to translate the bookmark information embedded in the web page from the primary computer. In claim 33 a list is generated that is subsequently transferred to "the storage location on the computer for subsequent use by the browser in retrieving information from the network." Transferring the list to a storage location for subsequent use is not the same as displaying bookmarks in a web page.

Accordingly, independent claim 33 is allowable under 35 U.S.C §102(e) as over Mullen-Schultz.

2.   Claim Rejections Under 35 U.S.C. §103(a)

Claim 5 is rejected under 35 U.S.C. §103 (a) as being unpatentable over Mullen-Schultz in view of Cordell, U.S. Pat. No. 6,031,989.

As set forth above, Applicants have explained that independent claim 1 is now allowable over Mullen-Schultz because of the failure to disclose the important feature that the links are delivered to the application program rather than being immediately presented to a user. Cordell does not disclose this feature either. Accordingly, claim 5 which depends from claim 1 is allowable under 35 U.S.C. §103 (a) over Mullen-Schultz in view of Cordell.

Claims 6-7, 22 and 26-28 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Mullen-Schultz in view of Reese, U.S. Pat. No. 6,374,237.

As set forth above, Applicants have explained that independent claims 1 and 18 are now allowable over Mullen-Schultz because of the failure to disclose the important feature that the links are delivered to the application program rather than being immediately presented to a user. Reese does not disclose this feature either. Accordingly, claims 6-7 which depend from independent claim 1 and claims 22, 26-28 which depend from independent claim 18 are now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz in view of Reese.

Claims 8-9 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Mullen-Schultz and Reese as applied to claim 6, and further in view of Meade, U.S. Pat. No. 6,405,214.

As set forth above, Applicants have explained that independent claims 8 and 9 are now allowable over Mullen-Schultz because of the failure to disclose the important feature that the links are delivered to the application program rather than being immediately presented to a user. Neither Reese nor Meade disclose this feature. Accordingly, claims 8-9 which depend from independent claim 1 is now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz in view of Reese.

Claims 13-14 and 30-32 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Mullen-Schultz and Reese in view of Meade, U.S. Pat. No. 6,189,019.

As set forth above, Applicants have explained that independent claims 1 and 18 are now allowable over Mullen-Schultz because of the failure to disclose the important feature that the links are delivered to the application program rather than being immediately presented to a user. Neither Reese nor Meade disclose this feature. Accordingly, claims 13-14 which depend from independent claim 1 and claims 30-32 which depend from independent claim 18 are now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz and Reese in view of Reese.

Claims 15, 19-20, 25, 39, and 44 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Mullen-Schultz in view of Meade.

As set forth above, Applicants have explained that independent claims 1, 18, and 33 are now allowable over Mullen-Schultz because of the failure to disclose the important feature that the links are delivered to the application program rather than being immediately presented to a user. Meade does not disclose this feature. Accordingly, claim 15 which depends from independent claim 1, claims 19-20, 25, and claim 39 which depend from independent claim 18 are now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz and Reese in view of Reese.

Regarding claim 44, this independent claim is amended to include the limitation "wherein the list of links are delivered to the application program rather than being immediately presented to a user." Neither Mullen-Schultz nor nor Meade disclose this limitation which has been explained above. Accordingly, independent claim 44 is now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz and Reese in view of Reese.

Claims 16-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mullen-Schultz in view of Balasubramaniam et al., U.S. Pat. No. 6,477,550.

As set forth above, Applicants have explained that independent claim 1 is now allowable over Mullen-Schultz because of the failure to disclose the important feature that the links are delivered to the application program rather than being immediately presented to a user. Balasubramaniam et al. does not disclose this feature. Accordingly, claims 16-17which depend from independent claim 1 are now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz and Reese in view of Balasubramaniam et al.

Claim 42 is rejected under 35 U.S.C. §103(a) as being unpatentable over Mullen-Schultz in view of Khan et al., U.S. Pat. No. 6,460,038.

Independent claim 42 is amended to include the limitation "wherein the at least one list of links are delivered to the application program rather than being immediately presented to a user." Neither Mullen-Schultz nor Khan et al. disclose this limitation which has

been set forth above in more detail. Accordingly, independent claim 44 is now allowable under 35 U.S.C. §103 (a) over Mullen-Schultz and Reese in view of Reese.

Claim 43 is rejected under 35 U.S.C. §103(a) as being unpatentable over Mullen-Schultz and Khan as applied to claim 42 above, and further in view of Meade.

Claim 43 depends from claim 42 which is shown above to be allowable. Accordingly, claim 43 is allowable over Mullen-Schultz and Khan, and further in view of Meade.

3.   Rejections Under 35 U.S.C. §103(a) Regarding Claims 36-38

Claims 36-38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mullen-Schultz in view of Blumer and further in view of Adams et al., U.S. Pat. No. 6,334,145.

The Examiner has used hindsight to reconstruct the invention of claim 36-38 in which the list of links are arranged into "a hierarchical list having links grouped by subject categories." The Examiner concedes that "Mullen-Schultz does not specifically teach the step of generating a list of links creating a hierachical list having links grouped by subject categories." The Examiner looks to two references to provide this missing element. Blumer is described as generating a list of links creating a hierarchical list having links" while Adams teaches "links grouped by subject categories." The stated motivation for combining these reference is stated to be "better bookmark management." However, the Examiner has used the present invention in hindsight to provide this motivation. Neither Blumer nor Adams disclose transferring links as required by claims 36-38. The Mullen-Schultz reference does not deal with transferring lists of links. As explained above regarding claim 33, Mullen-Schultz does not state that a list of links is generated. Instead, in Mullen-Schultz a web page with embedded links is utilized that possibly require a translation mechanism. The hierarchical structure of

claims 36-38 is not obviously useful when such links are not lists. This is even more evident in claim 38 which utilizes a directory structure.

Notwithstanding this argument, claims 36-38 are allowable since they depend from claim 33 which is shown above to be allowable.
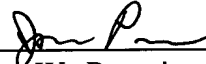
Accordingly, claims 36-38 are allowable under 35 U.S.C. §103(a) over Mullen-Schultz in view of Blumer and further in view of Adams et al.

Conclusion

Applicants have made a genuine effort to respond to each of the Examiner's rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If a telephone or video conference would help expedite allowance or resolve any additional questions, such a conference is invited at the Examiner's convenience.

A check in the amount of $350.00 is enclosed to cover the Petition fee **of $225.00 and the additional claims filing fee of $125.00**. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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